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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE  
(DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER		
NAH124342		
U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5)		
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	EARLIEST PRIORITY DATE CLAIMED
PCT/JP03/10399	August 18, 2003	August 16, 2002
TITLE OF INVENTION		
ELECTRODE FOR FUEL CELL, FUEL CELL INCLUDING THE ELECTRODE AND PROCESS FOR PRODUCING THE SAME		
APPLICANT(S) FOR DO/EO/US		
Takeo Yamaguchi and Hirotaka Mizuhata		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information by **Express Mail**:

- X   1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 37 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- X   4. The US has been elected (Article 31).
- X   5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
- X   a. is attached hereto (required only if not communicated by the International Bureau).
- b. has been communicated by the International Bureau.
- c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).

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CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>LLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100

- \_\_\_\_ 7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
- \_\_\_\_ a. are attached hereto (required only if not communicated by the International Bureau).
- \_\_\_\_ b. have been communicated by the International Bureau.
- \_\_\_\_ c. have not been made; however, the time limit for making such amendments has NOT expired.
- \_\_\_\_ d. have not been made and will not be made.
- \_\_\_\_ 8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- \_\_\_\_ 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- \_\_\_\_ 10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

- X   11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
- \_\_\_\_ 12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
- X   13. A preliminary amendment.
- \_\_\_\_ 14. An Application Data Sheet under 37 C.F.R. 1.76.
- \_\_\_\_ 15. A substitute specification.
- \_\_\_\_ 16. A power of attorney and/or change of address letter.
- \_\_\_\_ 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13<sup>ter</sup>.2 and 37 C.F.R. 1.821 – 1.825.
- \_\_\_\_ 18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
- \_\_\_\_ 19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- X   20. Other items or information: International Search Report

The following fees are submitted:.				<b>CALCULATIONS</b>	
21. <input checked="" type="checkbox"/> a) Basic national fee..... \$300.00				\$ 300	
22. <input checked="" type="checkbox"/> b) Examination fee				\$ 200	
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100.00					
All other situations..... \$200.00					
23. <input checked="" type="checkbox"/> c) Search fee				\$ 400	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100.00					
International Search Report prepared and provided to the Office ..... \$400.00					
All other situations..... \$500.00					
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 900	
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is <b>\$250.00</b> for each additional 50 sheets of paper or fraction thereof.				--	
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	Rate		
- 100 =	/50=		x \$250	\$--	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$ 130	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	4 - 20 =	0	x \$50.00	\$--	
Independent claims	3 - 3 =	1	x \$200.00	\$--	
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			+ \$360.00	\$--	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$1,030	
Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$--	
<b>SUBTOTAL =</b>				\$1,030	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$ 130	
<b>TOTAL NATIONAL FEE =</b>				\$1,160	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00/property.</b>				\$--	
<b>TOTAL FEES ENCLOSED =</b>				\$1,160	
				Amount to be refunded	\$
				Amount to be charged:	\$

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- X a. Check No. 161476 in the amount of \$1,160.00 to cover the above fees is enclosed.
- b. Please charge my Deposit Account No.        in the amount of \$        to cover the above fees. A duplicate copy of this sheet is enclosed.
- X c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1740. A duplicate copy of this sheet is enclosed.

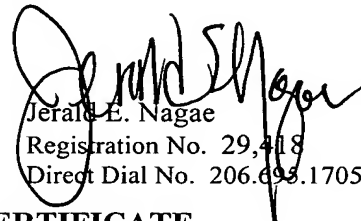
SEND ALL CORRESPONDENCE TO:

**Customer No. 26389**

Jerald E. Nagae  
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1420 Fifth Avenue  
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Respectfully submitted,

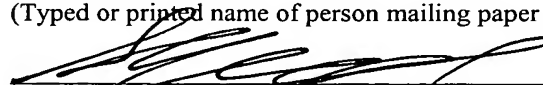
CHRISTENSEN O'CONNOR  
JOHNSON KINDNESS<sup>PLLC</sup>

  
Jerald E. Nagae  
Registration No. 29,418  
Direct Dial No. 206.682.1705

**EXPRESS MAIL CERTIFICATE**

Express Mail No.: EV 535893072 US  
Date of Deposit: February 11, 2005

I hereby certify that this document and the enclosures listed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Gregg Peria-Hansen  
(Typed or printed name of person mailing paper or fee)  
  
(Signature of person mailing paper or fee)

JEN:hjd

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